

is debited from a CR allocation to calculate the crab cost recovery fee liability for any retroactive payments for that CR crab.

(d) *Underpayment of fee liability.* (1) Under §680.4, an applicant will not receive new IFQ, IPQ, or RCR permits until he or she submits a complete application. A complete application shall include full payment of an applicant's complete crab cost recovery fee liability as reported by the RCR.

(2) If an RCR fails to submit full payment for crab cost recovery fee liability by the date described in paragraph (a)(4) of this section, the Regional Administrator may:

(i) At any time thereafter send an IAD to the RCR permit holder stating that the RCR permit holder's estimated fee liability, as indicated by his or her own submitted information, is the crab cost recovery fee liability due from the RCR permit holder.

(ii) Disapprove any transfer of IFQ, IPQ, QS, or PQS to or from the RCR permit holder in accordance with §680.41.

(3) If an RCR fails to submit full payment by the application deadline described at §680.4, no IFQ or IPQ permit will be issued to that RCR for that crab fishing year.

(4) Upon final agency action determining that an RCR permit holder has not paid his or her crab cost recovery fee liability, the Regional Administrator may continue to withhold issuance of any new IFQ, IPQ, or RCR permit for any subsequent crab fishing years. If payment is not received by the 30th day after the final agency action, the matter will be referred to the

appropriate authorities for purposes of collection.

(e) *Over payment.* Upon issuance of final agency action, any amount submitted to NMFS in excess of the crab cost recovery fee liability determined to be due by the final agency action will be returned to the RCR permit holder unless the permit holder requests the agency to credit the excess amount against the permit holder's future crab cost recovery fee liability.

(f) *Appeals and requests for reconsideration.* An RCR permit holder who receives an IAD may either appeal the IAD pursuant to 50 CFR 679.43 or request reconsideration. Within 60 days from the date of issuance of the IAD, the Regional Administrator may undertake reconsideration of the IAD on his or her own initiative. If a request for reconsideration is submitted or the Regional Administrator initiates reconsideration, the 60-day period for appeal under 50 CFR 679.43 will begin anew upon issuance of the Regional Administrator's reconsidered IAD. The Regional Administrator may undertake only one reconsideration of the IAD, if any. If an RCR permit holder fails to file an appeal of the IAD pursuant to 50 CFR 679.43 or request reconsideration within the time period provided, the IAD will become the final agency action. In any appeal or reconsideration of an IAD made under this section, an RCR permit holder has the burden of proving his or her claim.

(g) *Fee submission form.* An RCR must submit an RCR permit holder fee submission form according to §680.5(g).

[70 FR 10241, Mar. 2, 2005, as amended at 71 FR 44232, Aug. 4, 2006; 73 FR 76190, Dec. 15, 2008; 74 FR 51520, Oct. 7, 2009]

TABLE 1 TO PART 680—CRAB RATIONALIZATION (CR) FISHERIES

Fishery Code	CR Fishery	Geographic Area
BBR	Bristol Bay red king crab (<i>Paralithodes camtschaticus</i>).	In waters of the EEZ with: (1) A northern boundary of 58°30' N. lat., (2) A southern boundary of 54°36' N. lat., and (3) A western boundary of 168° W. long. and including all waters of Bristol Bay.

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Fishery Code	CR Fishery	Geographic Area
BSS	Bering Sea Snow crab (<i>Chionoecetes opilio</i>).	In waters of the EEZ with: (1) <i>A northern and western boundary</i> of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991), and (2) <i>A southern boundary</i> of 54°30' N. lat. to 171° W. long., and then south to 54°36' N. lat.
EAG	Eastern Aleutian Islands golden king crab (<i>Lithodes aequispinus</i>).	In waters of the EEZ with: (1) <i>An eastern boundary</i> the longitude of Scotch Cap Light (164°44' W. long.) to 53°30' N. lat., then West to 165° W. long., (2) <i>A western boundary</i> of 174° W. long., and (3) <i>A northern boundary</i> of a line from the latitude of Cape Sarichef (54°36' N. lat.) westward to 171° W. long., then north to 55°30' N. lat., then west to 174° W. long.
EBT	Eastern Bering Sea Tanner crab (<i>Chionoecetes bairdi</i>).	In waters of the EEZ with: (1) <i>A western boundary</i> the longitude of 166° W. long., (2) <i>A northern boundary</i> of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991), and (3) <i>A southern boundary</i> of 54°30' N. lat.
PIK	Pribilof red king and blue king crab (<i>Paralithodes camtschaticus</i> and <i>P. platypus</i>).	In waters of the EEZ with: (1) <i>A northern boundary</i> of 58°30' N. lat., (2) <i>An eastern boundary</i> of 168° W. long., and (3) <i>A southern boundary</i> line from 54°36' N. lat., 168° W. long., to 54°36' N. lat., 171° W. long., to 55°30' N. lat., 171° W. long., to 55°30' N. lat., 173°30' E. lat., and then westward to the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991).
SMB	St. Matthew blue king crab (<i>Paralithodes platypus</i>).	In waters of the EEZ with: (1) <i>A northern boundary</i> of 62° N. lat., (2) <i>A southern boundary</i> of 58°30' N. lat., and (3) <i>A western boundary</i> of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991).
WAG	Western Aleutian Islands golden king crab (<i>Lithodes aequispinus</i>).	In waters of the EEZ with: (1) <i>An eastern boundary</i> the longitude 174° W. long., (2) <i>A western boundary</i> the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991), and (3) <i>A northern boundary</i> of a line from the latitude of 55°30' N. lat., then west to the U.S.-Russian Convention line of 1867.

Fishery Code	CR Fishery	Geographic Area
WAI	Western Aleutian Islands red king crab (<i>Paralithodes camtschaticus</i>).	In waters of the EEZ with: (1) <i>An eastern boundary</i> the longitude 179° W. long., (2) <i>A western boundary</i> of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991), and (3) <i>A northern boundary</i> of a line from the latitude of 55°30' N. lat., then west to the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991).
WBT	Western Bering Sea Tanner crab (<i>Chionoecetes bairdi</i>).	In waters of the EEZ with: (1) <i>An eastern boundary</i> the longitude of 166° W. long., (2) <i>A northern and western boundary</i> of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as the Maritime Boundary Agreement Line as depicted on NOAA Chart No. 513 (6th edition, February 23, 1991) and NOAA Chart No. 514 (6th edition, February 16, 1991), and (3) <i>A southern boundary</i> of 54°30' N. lat. to 171° W. long., and then south to 54°36' N. lat.

[71 FR 32866, June 7, 2006]

TABLE 3a TO PART 680—CRAB DELIVERY CONDITION CODES
[The condition of the fish or shellfish at the point it is weighed and recorded on the ADF&G fish ticket]

Code	Description
01	Whole crab, live.
79	Deadloss.

TABLE 3b TO PART 680—CRAB DISPOSITION OR PRODUCT CODES

Code	Description
80	Sections.
95	Personal use—not sold.
97	Other retained product (specify condition).

TABLE 7 TO PART 680—INITIAL ISSUANCE OF CRAB QS BY CRAB QS FISHERY

Column A: Crab QS Fisheries	Column B: Qualifying Years for QS	Column C: Eligibility Years for CVC and CPC QS	Column D: Recent Participation Seasons for CVC and CPC QS	Column E: Subset of Qualifying Years
For each crab QS fishery the Regional Administrator shall calculate (see § 680.40(c)(2):	QS for any qualified person based on that person's total legal landings of crab in each of the crab QS fisheries for any:	In addition, each person receiving CVC and CPC QS must have made at least one landing per year, as recorded on a State of Alaska fish ticket, in any three years during the base period described below:	In addition, each person receiving CVC or CPC QS, must have made at least one landing, as recorded on a State of Alaska fish ticket, in at least 2 of the last 3 fishing seasons in each of the crab QS fisheries as those seasons are described below:	The maximum number of qualifying years that can be used to calculate QS for each QS fishery is:
1. Bristol Bay red king crab (BBR)	4 years of the 5-year QS base period beginning on: (1) November 1–5, 1996; (2) November 1–5, 1997; (3) November 1–6, 1998; (4) October 15–20, 1999; (5) October 16–20, 2000.	3 years of the 5-year QS base period beginning on: (1) November 1–5, 1996; (2) November 1–5, 1997; (3) November 1–6, 1998; (4) October 15–20, 1999; (5) October 16–20, 2000.	(1) October 15–20, 1999. (2) October 16–20, 2000. (3) October 15–18, 2001.	4 years